

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

PRIORITY MAIL PARCEL #
9505510528343227553668

Case No. MJ13-417

FILED
LODGED
AUG 23 2013
AT SEATTLE
CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON
DEPUTY

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):
Priority Mail Parcel # 9505510528343227553668, more fully described in Attachment A, attached hereto and incorporated herein by reference.

located in the WESTERN District of WASHINGTON, there is now concealed (identify the person or describe the property to be seized):

Please see Attachment B, attached hereto and incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
Title 21, U.S.C. § 841	Distribution of Controlled Substances & Unlawful Use of a Communications
Title 21, U.S.C. § 843	Facility, (U.S. Mails) to Distribute Controlled Substances.

The application is based on these facts:

Please see attached Affidavit of Postal Inspector Bryce K. Dahlin, attached hereto and incorporated herein by reference.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Bryce K. Dahlin, U.S. Postal Inspector
Printed name and title

Sworn to before me and signed in my presence.

Date:

Aug. 23, 2013


Judge's signature

City and state: Seattle, Washington

Mary Alice Theiler, U.S. Magistrate Judge
Printed name and title

1 STATE OF WASHINGTON)
2) ss
3 COUNTY OF KING)

4 **AFFIDAVIT**

5 Bryce K. Dahlin, being first duly sworn on oath, deposes and says:

6 **BACKGROUND**

7 1. **Affiant Background.** I am a U.S. Postal Inspector with the United States
8 Postal Inspection Service (USPIS) and have been so employed since January 2013. I am
9 currently assigned to the Seattle Division, Prohibited Mails Narcotic Team, where I
10 investigate controlled substances transported via the United States Mail. I completed a
11 twelve week Basic Inspector Training course in Potomac, Maryland, which included
12 training regarding transportation of narcotics via the U.S. mails. I have also received
13 training on the identification of controlled substances and interdiction of controlled
14 substances.

15 2. **Duties, Training & Experience.** As part of my duties, I investigate the
16 use of the U.S. mails to illegally mail and receive controlled substances, the proceeds of
17 drug trafficking, as well as other instrumentalities associated with drug trafficking, in
18 violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession
19 with intent to distribute controlled substances), and 843(b) (unlawful use of a
20 communication facility, including the U.S. mails, to facilitate the distribution of
21 controlled substances). As set forth below, my training and experience includes
22 identifying parcels with characteristics indicative of criminal activity. During the course
23 of my employment with the USPIS, I have participated in over one-hundred (100)
24 criminal investigations involving suspicious parcels and controlled substances.

25 3. The information contained in this affidavit is based upon knowledge I
26 gained from my investigation, my personal observations, my training and experience, and
27 investigation by other Inspectors, agents, and officers. Because the purpose of this
28 affidavit is limited to setting forth probable cause to search the subject parcel, I have not
set forth every fact of which I am aware pertaining to the investigation.

AFFIDAVIT OF BRYCE K. DAHLIN- 1

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 4. From my training and experience, I am aware that the United States Postal
2 Service (USPS) mail system is often used to transport controlled substances and/or the
3 proceeds from the sales of controlled substances throughout the United States. I have
4 learned and observed that sometimes drug traffickers put controlled substances and
5 proceeds in the same package. I also know that drug traffickers prefer mail/delivery
6 service such as Priority Mail because of the reliability of this service as well as the ability
7 to track the article's progress to the intended delivery point. When a drug trafficker
8 learns that a mailed article has not arrived as scheduled, he/she becomes suspicious of
9 any delayed attempt to deliver the item.

10 5. In addition, I am aware that the USPS Priority Mail service was custom-
11 designed to fit the needs of businesses by providing overnight delivery for time sensitive
12 materials. Business mailings often contain typewritten labels, are in flat cardboard
13 mailers, and usually weigh less than eight (8) ounces. In addition, businesses using
14 corporate charge accounts often print their account number on the Priority Mail label in
15 order to expedite transactions with USPS.

16 6. Based on my training and experience concerning the use of Priority Mail
17 for the transportation of controlled substances and/or the proceeds from the sales of
18 controlled substances, I am aware these packages usually contain some or all of the
19 following characteristics (which are different than characteristics of packages being sent
20 by legitimate businesses):

21 a. Unlike typical Priority Mail business mailings which usually have
22 typed labels, packages containing controlled substances and/or proceeds often have
23 handwritten address information. In addition, the address information often contains
24 misspelled words or incomplete/incorrect addresses. This is done in an effort to help
conceal the identities of the individuals involved.

25 b. The handwritten label on Priority Mail packages containing
26 controlled substances and/or proceeds does not contain a business account number and/or
27 credit card number. This is an indication that the sender likely paid cash. A credit card
28 or business account number would more likely enable law enforcement officers to
connect the package to identifiable individuals.

1 c. Priority Mail packages containing controlled substances and/or
 2 proceeds often stand out from typical business mailings as they do not bear any
 3 advertising on the mailing container/box, and are usually being mailed from one
 individual to another.

4 d. The sender and/or recipient addresses on Priority Mail packages
 5 containing controlled substances and/or proceeds often either are fictitious, are persons
 6 not known to postal personnel familiar with the addresses listed.

7 e. The zip codes for the sender addresses on Priority Mail packages
 8 containing controlled substances and/or proceeds is different from the zip codes of the
 post offices from where the parcels were mailed.

9 f. Priority Mail packages containing controlled substances and/or
 10 proceeds are heavily taped with tape on the seams of the parcel, in an effort to conceal
 11 scent.

12 g. Priority Mail packages containing controlled substances and/or
 13 proceeds include a waiver of signature. As a general matter, Priority Mail require a
 14 signature confirming receipt. Therefore, if a sender does not want a confirmation
 signature, he/she must affirmatively waive this requirement but checking a box.

15 7. Inspectors who encounter a package with any or all of the above
 16 characteristics often further scrutinize the package by, among other ways, address
 17 verifications and use of a trained narcotic-detecting canine examination.

18 **ITEM TO BE SEARCHED**

19 8. As set forth in Attachment A, this affidavit is made in support of an
 20 application for a search warrant for one USPS Priority Mail parcel, hereinafter referred to
 21 as "SUBJECT PARCEL." This parcel is believed to contain controlled substances or
 22 proceeds from the sale of controlled substances. The SUBJECT PARCEL is further
 23 described as follows: One Priority parcel addressed to "Woodrow, 1012 3rd St,
 24 Anacortes, WA 98221." This parcel is a Priority Mail parcel measuring approximately
 25 8.5" x 11.25" This parcel is postmarked August 15, 2013, from zip code 80220, and
 26 carries \$9.50 in postage. The delivery confirmation number is
 27 9505510528343227553668.

28 //

ITEMS TO BE SEIZED

9. The application requests that law enforcement officers and agents be authorized to seize the following from the SUBJECT PARCEL, which constitute the fruits, instrumentalities, and evidence of mailing and distribution of controlled substances in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled substances) and 843(b) (unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances):

a. Controlled substances, including, but not limited to, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;

b. Monetary instruments, including but not limited to, currency, money orders, bank checks, or gift cards;

c. Controlled substance-related paraphernalia;

d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;

e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and

f. Fingerprints and/or handwriting, to identify who handled and/or mailed the package.

THE INVESTIGATION

10. On August 15, 2013, Anacortes Post Master Elizabeth Butler detained a parcel, at the United States Postal Service mail facility located at the Anacortes Main Post Office, 519 Commercial Avenue, Suite 100, Anacortes, Washington, that was positively identified from a recent Postal Inspector mail watch. This mail watch identified the receiver's address as possibly mailing and receiving illegal materials, including narcotics.

11. Inspectors identified parcel 9505510528343227553668 as being one of many parcels that arrive for the same addressee approximately every three weeks. The

1 receiver of the package requests that the package be held by the Post Office for pickup
2 and not delivered.

3 12. I initiated a mail watch based on Post Master Butler and the receivers' mail
4 carrier statements that the address 1012 3rd Street, Anacortes, Washington 98221,
5 received regular priority mail parcels that were held at the United States Postal Service
6 mail facility based on the receiver's request.

7 13. I researched the addressee name and address listed on the SUBJECT
8 PARCEL by utilizing USPS and law enforcement databases. I learned that no individual
9 by the name of Woodrow is associated with the address 1012 3rd St. Anacortes,
10 Washington 98221.

11 14. I also learned that one resident of 1012 3rd St. Anacortes, Washington
12 98221 has a long history of criminal activity to include assault, theft, assault of a police
13 officer and kidnapping.

14 15. The postmaster and mail carrier assigned to 1012 3rd St. Anacortes,
15 Washington 98221 have reported suspicious behavior from receiver residence when
16 shipping and receiving parcels to include asking strangers to mail their parcels for them.

17 16. On August 22, 2013, at approximately 1:04 P.M., at the United States
18 Postal Service mail facility located at Seattle Processing and Distribution Center
19 (P&DC), 10700 27th Ave. S., Seattle, Washington, Inspectors placed five (5) parcels in
20 various open offices including four (4) "control" parcels and the SUBJECT PARCEL.
21 The SUBJECT PARCEL was in position number two (2). Customs and Border
22 Protection (CBP) K9 Officer Adam Chavez applied his narcotics detection canine
23 "Pedro" to each of the parcels.

24 17. As K9 Pedro approached the SUBJECT PARCEL, CBP K9 Officer Chavez
25 immediately observed a change of behavior. CBP K9 Officer Chavez observed Pedro
26 scratch and bite the package in position number two (2), indicating the positive odor of
27 narcotics emitting from the parcel. Further details about the narcotics detection canine's
28 qualifications are provided in the attached affidavit of CBP K9 Officer Chavez,

incorporated herein by reference.
AFFIDAVIT OF BRYCE K. DAHLIN- 5

1 **CONCLUSION**

2 18. Based on the facts set forth in this Affidavit, as well as the affidavit of CBP
3 Officer Chavez, I believe there is probable cause to conclude that the SUBJECT
4 PARCEL contains controlled substances, currency, documents, or other evidence, more
5 fully identified in Attachment B, that relates to the mailing and distribution of controlled
6 substances, in violation of Title 21, United States Code, Sections 841(a)(1) (distribution
7 and possession with intent to distribute controlled substances) and 843(b) (unlawful use
8 of a communication facility, including the U.S. mails, to facilitate the distribution of
9 controlled substances).

10 

11 BRYCE K. DAHLIN
12 Postal Inspector, US Postal Inspection Service
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14 SUBSCRIBED AND SWORN to before me this 23rd day of August, 2013.

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16 MARY ALICE THEILER
17 UNITED STATES MAGISTRATE JUDGE
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ATTACHMENT A
Parcel to be searched

One Priority Class parcel addressed to "Woodrow, 1012 3rd St, Anacortes, WA 98221" with a return address of "Marcy Lees, 1950 Trenton St. #119, Denver, CO, 80220." This parcel is a Priority Mail parcel measuring approximately 8.5" x 11.25" with a weight of approximately 1.93 pounds. This parcel is postmarked August 15, 2013, from zip code 80220, in Denver, Colorado and carries \$9.50 in postage. The delivery confirmation number is 9505510528343227553668.

ATTACHMENT A
PARCEL TO BE SEARCHED

ATTACHMENT B

Items to be seized

The following items that constitute evidence, instrumentalities, or fruits of violations of Title 21, United States Code, Section(s) 841(a)(1) and 843(b), unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances:

a. Controlled substances, including, but not limited to, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;

b. Monetary instruments, including but not limited to, currency, money orders, bank checks, or gift cards;

c. Controlled substance-related paraphernalia;

d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;

e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and

f. Fingerprints and/or handwriting, to identify who handled and/or mailed the package.



**U.S. Customs and Border Protection
Department of Homeland Security**

Canine Enforcement Office
19339 28th Ave S., Bldg D
SeaTac, WA 98188

AFFIDAVIT

I, Adam J. Chavez, am a Canine Officer with U.S. Customs and Border Protection, assigned to the Seattle-Tacoma area. My assigned canine, "Pedro" (CH-62) is certified in the detection of the odor of the following controlled substances: Marijuana, Hashish, Cocaine, Heroin, Methamphetamine and Ecstasy. "Pedro's" last certification was May 2nd, 2013.

Narcotic Detector Dogs within U.S. Customs and Border Protection are required to recertify yearly. Additionally, these canines are required to perform 8 hours of training in every 2 week pay period, along with the training conducted during the normal workday, which consists of two or more training exercises. This is to ensure that the Narcotic Detector dogs maintain their level of proficiency in the detection of the above stated narcotics.

I have been a Canine Officer since April 1991.

On August 22, 2013 at 1305 at the Seattle P&DC located at 10700 27th Ave S, Seattle, WA 98168. I along with Canine "Pedro" searched five packages that were placed in various offices, four controlled packages and one suspect package. Canine "Pedro" alerted to USPS parcel tracking number 9505510528343227553668 which was in position #2. The package was mailed from Denver, CO on August 15, 2013. The USPS parcel is being shipped from Marcy Lees, 1950 Trenton, ST #119 Denver, CO 80220 to Woodrow, 1012 3rd St., Anacortes, WA 98221.

TRADITION



SERVICE



HONOR

Signed

Date

8/22/13

- 2 -

Adam J. Chavez
U.S. Customs and Border Protection
Seattle, WA
(206) 396-1817 cell
(206) 870-1787 fax
adam.j.chavez@cbp.dhs.gov